

OCT 20 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
**Cincinnati Bell
Telephone®**

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October 20, 1993

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

In the Matter of:)	
)	
Policies and Rules Implementing)	CC Docket 93-22
The Telephone Disclosure and)	RM - 7990
Dispute Resolution Act)	

Dear Mr. Caton:

Enclosed please find an original and five copies of the Cincinnati Bell Telephone Company's Petition for Temporary Limited Waiver, in the above referenced proceeding.

Please date stamp and return the enclosed duplicate copy of this letter as acknowledgement of its receipt. Questions regarding this document should be directed to Ms. Jerlian Jones at the above address or by calling (513) 397-1408.

Sincerely,

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OCT 20 1993

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Policies and Rules Implementing
the Telephone Disclosure and
Dispute Resolution Act

CC Docket No. 93-22
RM-7990

PETITION FOR TEMPORARY LIMITED WAIVER

I. INTRODUCTION

Pursuant to Section 1.3 of the Federal Communications Commission ("Commission") Rules,¹ Cincinnati Bell Telephone Company (CBT) respectfully requests a temporary waiver of the Commission's Rule 64.1510(a)(2)(ii) which requires that, in any billing to telephone subscribers that includes charges for any interstate pay-per-call service, those 900 service charges must be displayed in a part of the bill that is identified as not being related to local and long distance telephone charges.²

II. DISCUSSION

In compliance with the mandate of the Telephone Disclosure and Dispute Resolution Act (TDDRA),³ the Commission requires, in its TDDRA Order,⁴ that 900

¹ 47 C.F.R. § 1.3.

² 47 C.F.R. § 64.1510(a)(2)(ii). CBT plans to file a similar request with the Federal Trade Commission.

³ 47 U.S.C. § 228 (d) (4) (A).

⁴ Policies and Rules Implementing the Telephone Disclosure and Dispute Resolution Act, CC Docket No. 93-22, RM-7990, Report and Order, FCC 93-349, rel. Aug. 13, 1993 (TDDRA Order).

service charges on a telephone subscriber's bill must be segregated from local and long distance telephone charges. The Commission also requires specific disclosure statements on the bills.⁵ These requirements are effective November 1, 1993.⁶

While CBT does not directly bill for interstate 900 service, it does bill 900 charges for interexchange carriers, aggregators, clearing houses, resellers and others under billing and collection agreements. These entities provide billing and collection for various 900 information providers. Consequently, CBT bills sent to its telephone subscribers may contain charges for 900 pay-per-call services and thus must comply in format with the TDDRA Order.

CBT will be able to meet the November 1st date for the monthly statements that must be included on all bills with 900 calls. On the November bills, all CBT customers will receive the message required by the TDDRA Order, whether they made 900 calls or not. Due to the extensive programming required to trigger this message for 900 calls alone, the only way CBT can meet the November date is with a general bill message to all customers. While CBT realizes that many of its customers may question the November bill message, it believes that this solution is the only way for CBT to be in compliance with this part of the TDDRA Order. Beginning in December, CBT's programming will be completed and then only those customers who have a 900 call billed to their accounts will have the TDDRA message on their bills.

CBT also will notify its customers that they can receive 900 blocking free from November 1 through December 31, 1993, and that new subscribers can receive

⁵ 47 C.F.R. § 64.1510(a)(2)(i), (iii), (iv).

⁶ TDDRA Order, ¶108. It should be noted that this date is a Commission established effective date and not a statutory mandate.

900 blocking free for 60 days, all in compliance with the TDDRA and the TDDRA Order.⁷

The only portion of the TDDRA Order with which CBT will not be able to comply is the requirement that 900 calls be separated from other local and long distance calls on customers' bills beginning November 1, 1993. CBT will require a minimum of one additional month to comply with this requirement and therefore requests a waiver of this requirement until compliance can be achieved.

CBT's customer base includes customers in Ohio, Kentucky and Indiana. At the present time 900 calls are included with other long distance calls on CBT's billing statements in Ohio and Indiana. The Public Service Commission of Kentucky requires that all non-regulated calls be displayed on a separate billing page for Kentucky customers.⁸ Due to this Kentucky mandate, CBT believes that the bills for its Kentucky customers will substantially comply with the TDDRA Order.

Even with the exercise of all possible diligence, CBT will not be able to separate 900 service charges on its billing statements for its Ohio and Indiana customers by November 1, 1993. Separation of 900 pay-per-call service calls on CBT billing statements requires substantial designing, programming and testing because of the complexity of CBT's billing system. CBT uses a billing system known as the Customer Records Information System (CRIS) which is a system that is not table driven and therefore not easily changed. The software changes required to separate 900 service calls affect the programs for rating, bill format, journals and the

⁷ 47 C.F.R. §64.1508(a)(1),(2).

⁸ Order issued January 27, 1992, Public Utility Commission of Kentucky, Case No. 8838, Phase I, and Administrative Case No. 306.

customer service representative bill screens. The bill format program is embedded in the core of the billing system and the changes required there are extensive. While all CRIS billing systems share a common set of core standards developed by Bell Communications Research, they are locally developed systems which can differ in format. This means that some CRIS systems can be modified more readily than others.

Because of the complexity of CRIS, CBT normally completes detailed and thorough system testing at the unit, system and user acceptance levels before instituting a billing format change in order to ensure and maintain the high quality of CBT's customer billing. The numerous bill format changes required by the TDDRA Order, including the separation of 900 service charges, will necessitate even greater testing than normal to assure accuracy in CBT's customer billing. Failure to adequately test billing format program changes would expose CBT to a charge of up to \$50 per transaction for failure to follow prescribed billing and collection procedures.⁹ Even with an extraordinary utilization of CBT's resources, CBT cannot complete these necessary and complex activities with respect to separation of 900 service charges by November 1, 1993.

Since the November 1st date is a Commission established date and not a TDDRA mandated date, CBT believes that a limited extension of the time for CBT to separate 900 service calls on its billing statements will not contravene the TDDRA, nor the intent of the TDDRA Order. It should not adversely affect the public interest, particularly when CBT is complying with the TDDRA Order in all other respects and CBT's customers have not expressed confusion over 900 call location on bills in the


⁹ See 16 C.F.R. §308.7(n)(1)(i).

past. While separating 900 calls on billing statements is a requirement of the TDDRA and thus arguably could have been anticipated by CBT for almost one year, the specific format requirements were not known until the recent TDDRA Order. CBT should not be expected to have guessed at those requirements and incurred potentially inappropriate programming expenses based on that speculation.

III. CONCLUSION

For all the foregoing reasons, CBT requests that the Commission grant CBT's Petition for Temporary Limited Waiver of Part 64 of the Commission's Rules to the extent necessary to permit CBT to have the time necessary to separate 900 pay-per-call service charges on its billing statements from charges for telecommunications services.

Respectfully submitted,



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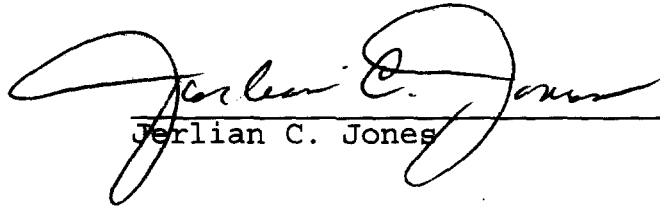
Attorneys for
Cincinnati Bell Telephone Company

October 20, 1993

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CERTIFICATE OF SERVICE

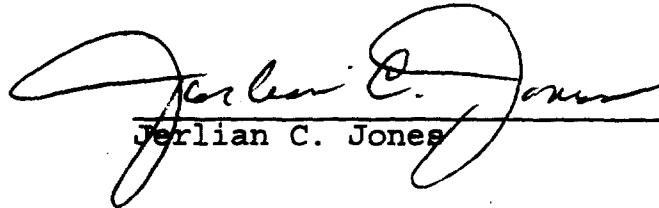
I, Jerlian Jones, do hereby certify that I have caused a copy of the foregoing Petition for Temporary Limited Waiver of Cincinnati Bell Telephone Company to be mailed via first class United States mail, postage prepaid, to the persons listed on the attached service list this 20th day of October, 1993.



Jerlian C. Jones

CERTIFICATE OF SERVICE

I, Jerlian Jones, do hereby certify that I have caused a copy of the foregoing Petition for Temporary Limited Waiver of Cincinnati Bell Telephone Company to be mailed via first class United States mail, postage prepaid, to the persons listed on the attached service list this 20th day of October, 1993.



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